

REMARKS

Claims 1, 2, 7 and 8 have been amended in a manner that obviates the learned examiners objections.

The rejection of claims 1-10 under 35 U.S.C. 103(a) as being unpatentable over *Heath* in view of *Conn* is respectfully traversed. *Heath* and *Conn* accomplish their interlocking of adjacent panels in materially different ways. *Heath* utilizes a depending flange which forms a moisture seal with an upwardly opening channel. Thus, as can be seen a substantial region of wall to wall contact between *Heath's* second wall, flange and longitudinal wall is provided which provides both a moisture seal and interdependent support such of such members. It is believed that this interaction resists downward or lateral deflection of the flange or wall in the plastic products produced by *Heath*, thus the underlying channel bottom through which *Heath* inserts fasteners should remain dry at all times. Accordingly, there would be no motivation to modify *Heath* to include a bottom which would permit fasteners to be positioned on either side of the longitudinal wall for purposes of avoiding moisture. In contrast, the interconnection in *Conn* appears to be an extension of the top portion having a single layer of material overlying a fulcrum and biased upwardly against the undersurface of the top of the adjacent panel. The panel is not tubular in design, thus a single layer of material is intended to give both rigidity and support to the panel. Likewise the fulcrum must provide un-assisted support to the top and extension in the area of overlap. Element 57 is said to be a framing network rather than a sub-floor, thus a series of support beams extending transverse to the panels appears to be illustrated. Intermediate the beams of network 57 the single layer construction of *Conn* must be load bearing. It is clear that downward force on the single layer extension 140 can cause deflection of the point 30 about the fulcrum 46 or by virtue of deformation of fulcrum 45 such that point 30 is displaced from receiver 16, and thus allow moisture into the channel formed beneath the extension, however, the fasteners of *Conn* are located on the side of the fulcrum away from the potential gap, and are thus maintained in waterproof isolation from the gap. *Conn* does not contemplate placing fasteners on either side of the fulcrum, but rather solely on the side of the fulcrum opposite the potential gap. The asserted motivation from *Conn* has no relevance to the combination of *Heath's* connection with a bottom that allows the fasteners to be placed adjacent the longitudinal wall regardless, either within the channel or outside of it. *Heath's* fasteners are

not subject to moisture as would be fasteners placed inside the channel in *Conn*, thus there is nothing in *Conn* or *Heath* that would suggest the need to add the additional ledge to the *Heath* product.

Indeed, the stated purpose of the presently claimed invention is to increase the stability of the panels. Nothing in *Heath* indicates the panel is less than stable, hence the primary reference does not suggest any need for the flange. *Conn*, on the other hand, is a single layer panel and is inherently unstable by virtue of the lack of a complete bottom despite the ledge through which the *Conn* fasteners extend, thus, nothing in *Conn* would suggest the addition of the flange to *Heath*. Accordingly the combination of the references under section 103 is improper due to a lack of motivation or suggestion in the references.

In view of the above amendments, a favorable response and an early issuance of the case is earnestly solicited.

Respectfully submitted,

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